

Special Representative

To:

PA President

and

PA Secretary General

15/06/2007

PC Spot Report Week 25, 2007 (Legal Status)

I have had several additional meetings and conversations on the issue, including with the Chair of the Working Group, Dutch Ambassador van Veldhuizen-Rothenbücher, with Danish Ambassador John Bernhardt, with the Canadian Ambassador Barbara Gibson, and with staff of the US delegation. Danish Ambassador Bernhardt complained about the lack of open support he had had from those countries that had indicated that they could support his proposal and the position of the PA. The new version of the draft has come out, and even this one does not include language on the Parliamentary Assembly, be it in brackets, in the text, but has the unacceptable draft paragraph that I reported about in my last report as an annex. **This paragraph places the Parliamentary Assembly outside the OSCE. In short, the refusal to give the Parliamentary Assembly the same treatment as other OSCE Institutions continues.**

Even those who – like the Dutch ambassador – verbally concede that the Parliamentary Assembly is at least “somewhat” a part of the OSCE do not accept that the logical consequence of this would be to treat the Parliamentary Assembly equally or as a fully-fledged part of the organization. The Canadian Delegation repeated its claims that any equal treatment would create grave difficulties with their own parliament in the ratification process, based on the main argument that Canada did not treat the NATO Parliamentary Assembly – which is completely different – the same way as they treat NATO either. The NATO Assembly, unlike the OSCE Assembly, was created privately, not by joint action of both branches of Government, as was the case of the OSCE PA.

As reported, the legal services of the OSCE Secretariat recently came to the almost unbelievable conclusion that the Parliamentary Assembly is not an OSCE Institution. This week, however, they presented a paper comparing host country arrangements with the OSCE Secretariat and the Institutions, in which they naturally included the Parliamentary Assembly, referring to it as an OSCE Institution. This is only one of the many contradictions in the argumentation of those who campaign against the PA having a status as an official OSCE structure.

Over many years, one OSCE Chairmanship after the other has argued against any treatment of the Parliamentary Assembly more favorable than that received by other Institutions saying that they have to treat all Institutions equally. In the present campaign against the Parliamentary Assembly, all of this seems to be forgotten. The Legal Services, which are subordinate to the Secretary General who is strongly opposed to a participatory role of the Parliamentary Assembly, have again been tasked to produce a research paper, this time on the comparability of the NATO Parliamentary Assembly, PACE, and the OSCE Parliamentary Assembly. Under the circumstances, the result of this is predictable, unfortunately.



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Ambassador